

CHAPTER 4 APPROVING AND TERMINATING THE RECURRING REVIEW

4-1. Introduction. This chapter discusses the process for review and approval of the draft and final Recurring Review Report, as well as termination of Recurring Reviews at a site.

4-2. Review and Approval of the Recurring Review Report. The district will prepare a draft and final Recurring Review Report as described in the following sections.

a. Draft Recurring Review Report.

(1) The district will prepare a draft Recurring Review Report. The district will provide a copy to the OE CX for review. The Office of Counsel for the District conducting the Recurring Review will review and provide comments on the draft Recurring Review Report generated by the PDT before it is released outside of the USACE. Following the approval of the District Office of Counsel, the district will provide a copy to stakeholders and regulators for review and comment. A copy of the report will also be placed in the information repository established for the Recurring Review for public review and comment.

(2) The district may hold a public meeting or availability session during the public comment period.

(3) The district will publish a notice in a major local newspaper of general circulation including the following information:

(a) Notification that the draft report has been completed and placed in the information repository;

(b) Location of the information repository for public review;

(c) Summary of the findings and conclusions of the Recurring Review;

(d) An announcement of a formal 30-day (minimum) public comment period for submission of written comments; and

(e) Location and time for a public meeting, if applicable.

(4) Upon completion of the public comment period, a responsiveness summary is prepared that discusses any significant public comments received on the report and the actions taken to address those comments. The responsiveness summary becomes part of the project files.

b. Final Recurring Review Report.

(1) The district will incorporate the comments received during the public comment period into the final Recurring Review Report.

(2) The final report must contain a signed determination by the District Commander (FUDS)/Installation Commander or MACOM Commander (active and transferring sites) stating that the response continues/does not continue to minimize explosives safety risks and is/is not protective of human health, safety, and the environment. The district will seek concurrence from the appropriate regulator(s) for the determination.

(3) The district will provide copies of the final report to appropriate stakeholders, regulators, and the OE CX. The final Recurring Review Report, along with the responsiveness summary, will be included in the project files for the site, including the information repository that was established during the Recurring Review.

c. Figure 4-1 illustrates the OE review and approval process. Table 4.1 may be used by the PM to track and document reporting activities for the Recurring Review.

4-3. Termination of Recurring Reviews.

a. Further Recurring Reviews may be terminated at a site when the PDT, stakeholders, and regulators reach agreement that the site is stable based on the results of previous Recurring Reviews and response actions that have been conducted at the site. Evaluation of the stability of a site will depend on site-specific characteristics. A site may be considered stable if:

(1) there are no issues at the site that result in a change in the effectiveness of the response actions;

(2) there has been no erosion at the site that significantly impacts the response action;

(3) there have been no OE incidents at the site; and

(4) there have been no significant changes in land use for the site, etc.

b. USACE recognizes that there may be sites requiring Recurring Reviews over an indefinite period of time due to unique site conditions.

c. The final Recurring Review Report generated for the last Recurring Review at a site will state that no further Recurring Reviews will be conducted at the site. The report will also provide a discussion regarding the justification for termination of the Recurring Reviews and documenting agreement among the PDT, stakeholders, and regulators.

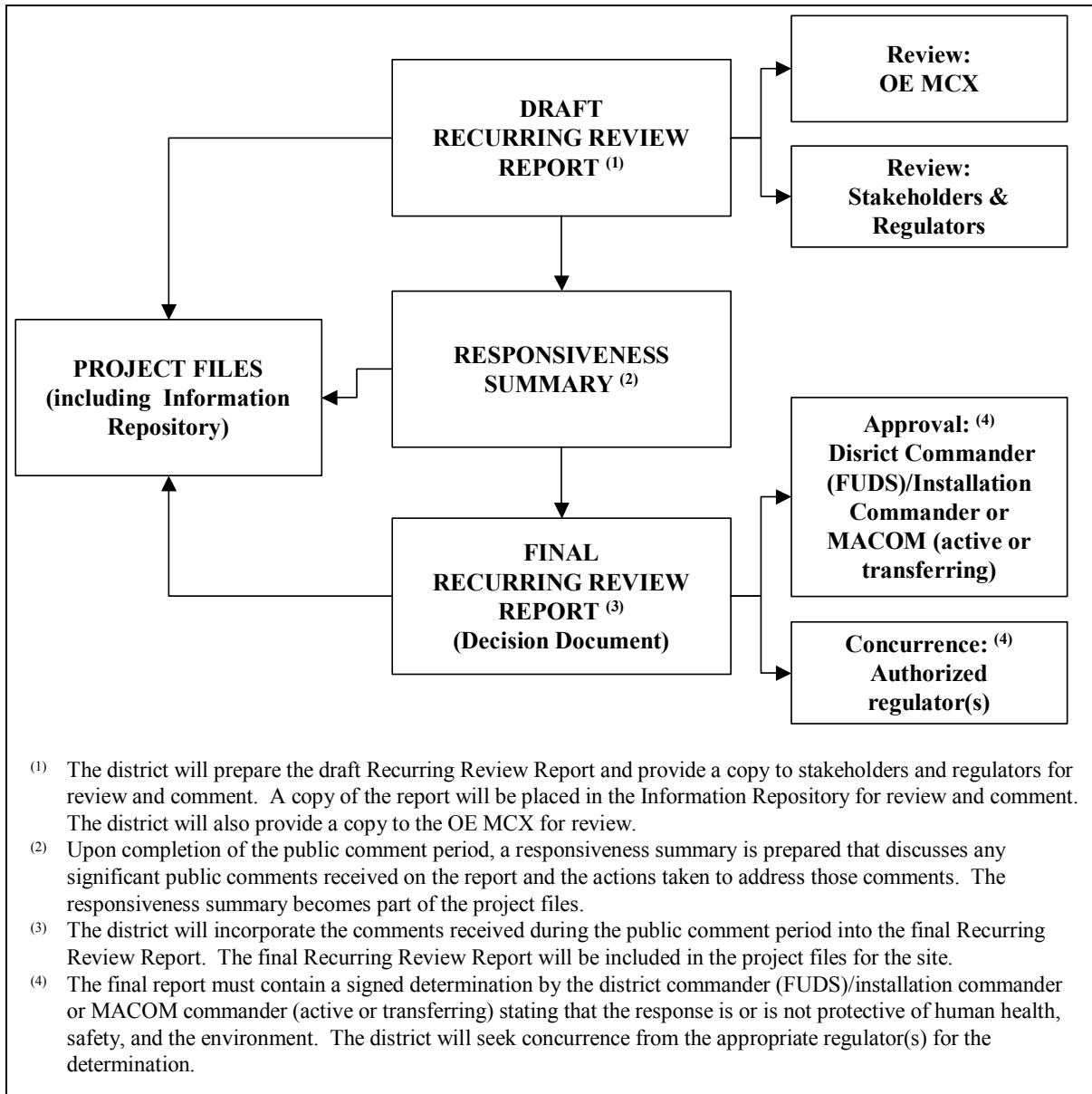


Figure 4-1. Review and Approval Process for the Recurring Review Report

Table 4.1
Sample Format to Track Recurring Review Reporting

RECURRING REVIEW REPORTING	
Draft Recurring Review Report	Federal _____ Date Sent: _____ Comments: _____ State _____ Date Sent: _____ Comments: _____ Tribal _____ Date Sent: _____ Comments: _____ Information Repository _____ Date Sent: _____ Comments: _____ Other _____ Date Sent: _____ Comments: _____ Other _____ Date Sent: _____ Comments: _____
Public Notice of Recurring Review Report and Findings	Name of Newspaper(s): _____ Publication Date(s): _____ _____ _____ _____
Public Meeting	Yes _____ No _____ Date held: _____ Location _____
Final Recurring Review Report	Date Signed: _____ Federal _____ Date Sent: _____ Comments: _____ State _____ Date Sent: _____ Comments: _____ Tribal _____ Date Sent: _____ Comments: _____ Information Repository _____ Date Sent: _____ Comments: _____ Other _____ Date Sent: _____ Comments: _____ Other _____ Date Sent: _____ Comments: _____